

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 5425 BURNET ROAD IN THE BRENTWOOD NEIGHBORHOOD PLAN AREA FROM GENERAL COMMERCIAL SERVICES-MIXED USE-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-V-CO-NP) COMBINING DISTRICT TO COMMERCIAL LIQUOR SALES-MIXED USE-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-V-CO-NP) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district to commercial liquor sales-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district on the property described in Zoning Case No. C14-2012-0097, on file at the Planning and Development Review Department, as follows:

8,000 square feet of land, more or less, out of the a portion of Lot 32 and Lot 33, Broadacres Subdivision the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 5425 Burnet Road in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. Except as specifically provided in Part 3 and Part 4 of this ordinance, the Property may be developed and used in accordance with the regulations established for the commercial liquor sales (CS-1) base district and other applicable requirements of the City Code.

PART 3. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following condition:

The following uses are conditional uses of the Property:

Agricultural sales and services

Commercial blood plasma center

Equipment sales
Campground
Kennels

Vehicle storage
Equipment repair services

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2 Except as specifically restricted under this ordinance, the Property may be developed and
3 used in accordance with the regulations established for the commercial liquor sales (CS-1)
4 base district, the mixed use combining district and other applicable requirements of the
5 City Code.

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7 **PART 4.** The Property is subject to Ordinance No. 040513-33A that established the
8 Brentwood neighborhood plan combining district.

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10 **PART 5.** This ordinance takes effect on _____, 2012.

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12 **PASSED AND APPROVED**

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14 _____, 2012

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17 Lee Leffingwell
18 Mayor

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21 **APPROVED:** _____

Karen M. Kennard
City Attorney

22 **ATTEST:** _____

23 Shirley A. Gentry
City Clerk

HOLT CARSON, INC.
PROFESSIONAL LAND SURVEYORS

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AREA TO BE REZONED

FIELD NOTE DESCRIPTION OF 8,000 SQUARE FEET OF LAND, BEING AN AREA OF REZONING OVER A PORTION OF LOT 32 AND LOT 33, BLOCK 2, BROADACRES, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 3 PAGE 135 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND HAVING BEEN CONVEYED TO JIMMY NASSOUR BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT No. 1999130955 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE at a ½" iron rod found at the point of intersection of the East right-of-way line of Burnet Road and the North right-of-way line of Houston Street for the Southwest corner of Lot 33, Block 2, Broadacres, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 3 Page 135 of the Plat Records of Travis County, Texas, and from which a ½" iron rod found in the East right-of-way line of Burnet Road for the Northwest corner of Lot 32 and the Southwest corner of Lot 31, of said Block 2, Broadacres, bears N 02 deg. 21' 10" W 178.38 ft., and also from which a ½" iron rod in the South line of said Lot 33 at the point of intersection of the North right-of-way line of Houston Street and the West right-of-way line of Clay Avenue for the Southwest corner of that certain tract of land as conveyed to the City of Austin by deed recorded in Volume 1644 Page 257 of the Deed Records of Travis County, Texas, bears S 60 deg. 03' 18" E 164.09 ft.;

THENCE with the East right-of-way line of Burnet Road and with the West line of said Lot 33, N 02 deg. 21' 10" W 9.58 ft. to a point for the Southwest corner and **PLACE OF BEGINNING** of the herein described area to be rezoned;

THENCE continuing with the East right-of-way line of Burnet Road and with the West lines of said Lot 33 and Lot 32, respectively, N 02 deg. 21' 10" W 90.00 ft. to a point for the Northwest corner of this area to be rezoned;

THENCE leaving the East right-of-way line of Burnet Road and entering the interior of said Lot 32 with the North line of this area to be rezoned, N 87 deg. 49' 10" E 90.09 ft. to a point for the Northeast corner of this area to be rezoned;

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REZONING AREA – 8,000 Square Feet

THENCE continuing across the interior of said Lot 32 and re-entering the interior of said Lot 33 with the East line of this area to be rezoned, S 02 deg. 10' 50" E 86.00 ft. to a point for the Southeast corner of this area to be rezoned;

THENCE continuing across the interior of said Lot 32 with the South line of this area to be rezoned, the following three (3) courses;

- 1) S 87 deg. 49' 10" W 24.00 ft.;
- 2) S 02 deg. 10' 50" E 4.00 ft.;
- 3) S 87 deg. 49' 10" W 65.82 ft. to the **PLACE OF BEGINNING**, containing 8,000 square feet of land.

PREPARED: September 2, 2012



Holt Carson

Registered Professional Land Surveyor No. 5166

see accompanying sketch: C 602080

REFERENCES:

TCAD Parcel Nos. 02 2903 03 28 and 02 2903 03 39
City of Austin Grid: J27



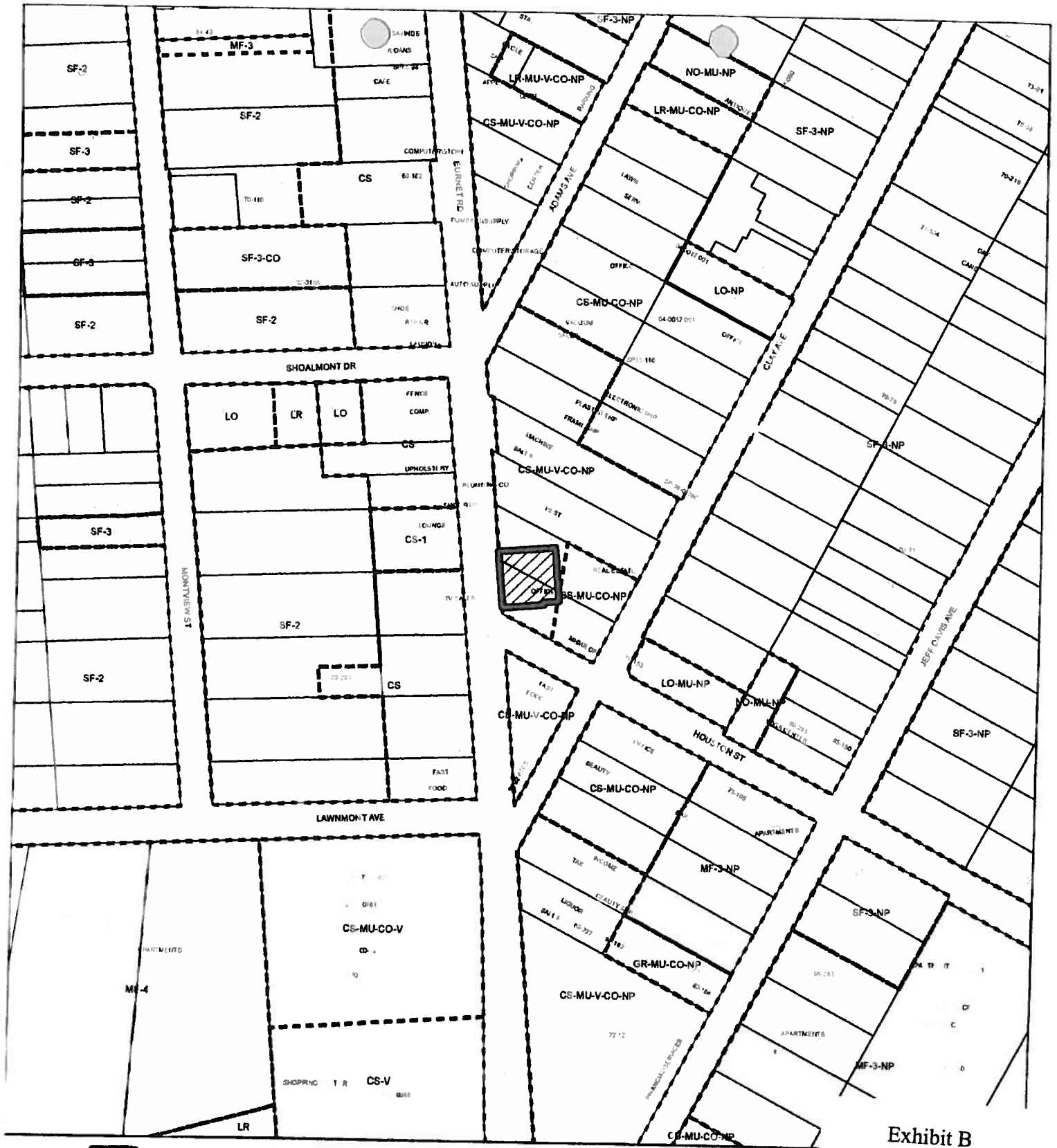






Exhibit B



 SUBJECT TRACT

 PENDING CASE

 ZONING BOUNDARY

1" = 200'

ZONING

ZONING CASE#: C14-2012-0097

This product is for informational purposes and may not have been prepared for or be suitable for legal engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

